

REMARKS

These remarks are responsive to the points raised in the non-final Office Action dated December 3, 2004. Claims 1-15, 30-39, 44-46, 64-73 and 85-98 are pending currently in the application. With this Amendment, claims 1, 6-10, 30-39, 44, 46, 64-65, 85-86 and 91-98 have been amended, claims 16-29, 40-43, 47-63 and 74-84 have been canceled, and claims 99-100 have been added. No new matter has been introduced by this Amendment. Accordingly, entry and consideration of this Amendment are respectfully requested.

I. REJECTIONS UNDER 35 U.S.C. 112, FIRST PARAGRAPH

The Applicants notes with appreciation that the rejections to claims 37, 39, 50, 54, 56 and 65 under 35 U.S.C. §112, first paragraph have been withdrawn based on Applicant's 1.114 amendment filed on September 30, 2003.

II. RESPONSE TO REJECTIONS UNDER 35 U.S.C. 103(a)

Claims 1-15, 30-36, 38, 44-49, 51-53, 55, 64, 82-91 and 92-98 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Angles et al. (U.S. Pat. No. 5,933,811, hereafter Angles). Claims 16-29, 40-43, 57-63 and 66-73 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Angles in view of Logan et al. (U.S. Pat. No. 5,721,827, hereafter Logan) and Blumenau (U.S. Pat. No. 6,327,619, hereafter Blumenau). Claims 74-81 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gerszberg et al. (U.S. Pat. No.

6,044,403, hereafter Gerszberg) in view of Blumenau. The Applicants traverse the above rejections for the following reasons.

A. Claims 1-15, 30-36, 38, 44-49, 51-53, 55, 64, 82-91 and 92-98:

In the Office Action, the Examiner states that Angles in view of well-known advertising techniques used for radio, TV and printed publications render obvious all the features recited in the above claims.

A telephone interview was conducted with the Applicant, his representatives, and the Examiner to discuss differences between the present invention and the cited prior art. More specifically, the Applicant pointed out that Angles as well as the other cited prior art fail to teach or suggest the revenue pool of the present invention. It was agreed that an important distinction between the cited prior art and the present invention is that both the agreed upon revenue and the revenue pool are determined prior to any consideration or receipt of client impressions on content. The Examiner suggested amending the claims to clarify the scope of the invention and distinguish over the prior art.

Accordingly, the Applicants herein have amended the claims as suggested by the Examiner during the interview on February 25, 2004. Claims 1, 30, 38, 44, 46, 64, 85 and 92-98 should, therefore, be allowed. Likewise, claims 2-10, 12-15, 32-36, 45 and 86-91 are also believed to be allowable based on their dependency from claims 1, 30, 44 and 85, respectively.

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B. Claims 16-29, 40-43, 57-63 and 66-73

In the Office Action, the Examiner states that Angles in view of Logan and further in view of Blumenau render obvious claim 16-29, 40-43, 57-63 and 66-73 of the present invention. The Applicants herein have canceled claims 16-29, 40-43, 57-63 and 66-73. Accordingly, the above rejections with regard to these claims are rendered moot.

C. Claims 74-81

In the Office Action, the Examiner relies on Gerszberg in view of Blumenau to render obvious the feature of the above claims.

The Applicants herein have canceled claims 74-84. Accordingly, the above rejections with regard to these claims are rendered moot.

CONCLUSION:

In view of the above remarks and arguments, Applicants respectfully submit that all of the stated grounds of rejections have been properly traversed, accommodated or rendered moot. Thus, Applicants believe that all of the pending claims are patentable over the prior art of record, and the present application is now in condition for allowance.

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AUTHORIZATION:

No fee is due by filing of this Amendment. However, the Commissioner is hereby authorized to charge any additional fees, which may be required for this filing, or credit any overpayment to Deposit Account 13-4503, Order No. 3835-4002.

Respectfully submitted,
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